

**GRAYSON COUNTY BOARD OF SUPERVISORS MEETING  
SEPTEMBER 10, 2009**

Members attending this meeting were: Larry Bartlett, Joe Vaughan, Mike Maynard, Brenda Sutherland, and Doug Carrico.

**IN RE: CONSENT AGENDA**

Joe Vaughan moved to approve the consent agenda, duly seconded by Larry Bartlett. Motion carried 5-0.

Add Wythe Grayson Library appropriation to New Business.

**IN RE: VDOT**

Jeff Russell, VDOT representative addressed the Board of Supervisors. Joe Vaughan requested that a driveway entrance on Route 805 be fixed for Sarah Crigger where recent paving built up the entrance.

**IN RE: GRAYSON COUNTY AGRO-TECH CENTER**

Bob Baker and Ronnie Sikes reported to the Board of Supervisors on the progress of developing an Agro-Tech Center in Grayson County. Seven months ago, a committee was formed for the purpose of developing fairgrounds in Grayson County. The committee met with Rick Boucher regarding funding. Ronnie Sikes reported that on March 24<sup>th</sup>, the committee traveled to the New River Valley Fairgrounds in Dublin. This facility was created in 1953 and is self-sustaining with a \$250,000 budget and one full time employee and two part time employees. Funding is not available for fairgrounds only, but it is available for an Agro-Tech facility. An Agro-Tech Association will be formed to run it. It would be home to festivals, cattle shows, car shows and like functions. No site has been selected yet.

**IN RE: LIBRARY FUND TRANSFER**

Doug Carrico moved to approve the request for transfer of funds in the amount of \$57,809.75 submitted by the Wythe Grayson Regional Library, duly seconded by Brenda Sutherland. Motion carried 5-0.

**IN RE: SOUTHWEST VIRGINIA EMS COUNCIL**

Joe Vaughan moved to approve the Southwest Virginia EMS Council's request for support in applying for formal designation as a regional emergency medical services council, duly seconded by Brenda Sutherland. Motion carried 5-0.

#### IN RE: GRAYSON COUNTY SCHOOL TRANSFER

Doug Carrico moved to approve the request for the Grayson County School Board's monthly requisition for funds in the amount of \$334,792, duly seconded by Brenda Sutherland. Motion carried 5-0.

#### IN RE: ADOPTION OF LOCAL EZ INCENTIVES

Jonathan Sweet explained Local Enterprise Zone Incentives as presented in board package. Incentives will only be in effect if Grayson County is granted designation as an Enterprise Zone. Application has to be in by October. Doug Carrico moved to adopt the local EZ incentives, duly seconded by Brenda Sutherland. Motion carried 5-0.

#### IN RE: ENTERPRISE ZONE RESOLUTION

Brenda Sutherland moved to adopt a resolution in support of an Enterprise Zone in Grayson County, duly seconded by Larry Bartlett. Motion carried 5-0.

#### IN RE: PUBLIC HEARING – RANDALL ELLER

A public hearing was held to receive comments regarding the request for a Special Use Permit submitted by Randall Eller to renew his permit to operate a quarry. It was the recommendation of the Planning Commission by vote of 6-1 to approve the request.

Mr. Williams, representing Independence Lumber Company stated that poor economics forced them to stop their operation last September, but they hoped that they could resume the operation soon. No comments were received. Larry Bartlett moved to close the public hearing, duly seconded by Doug Carrico. Motion carried 5-0.

Larry Bartlett moved to approve the Special Use Permit for 5 years with the following conditions, duly seconded by Joe Vaughan. Motion carried 5-0.

#### Recommended Conditions

The request is for the operation of a stone quarry on a 1.5 acre parcel.

1. Quarry operations may be conducted on the site from 7:00 am to 5:00 pm Monday through Friday, except that all blasting will occur between the hours of 12 noon and 5pm Monday through Friday. Trucking only may be conducted on Saturday. The anticipated time for the next blast will be posted at the intersection of Lumber Lane and Route 58 at least 48 hours before the blast is scheduled to occur.
2. For all blasting operations, the maximum peak particle velocity of the ground in any direction shall not exceed 1 inch per second immediately adjacent to the nearest inhabited building. With respect to blast noise, the maximum peak impulsive sound level shall not exceed 135 decibels at the nearest inhabited

building. Sound levels for all other quarry activities will not exceed 85 DBA at the boundary of the Independence Lumber Company site and any adjacent land owner, and in addition, the operator will use its best efforts to control sound levels below the maximum established herein. A pre-blast survey will be conducted at the expense of the operator to include an assessment of all residences and other structures within 2,500 feet of the quarry site where permission can be obtained to conduct the survey. The results of these surveys will be retained by Independence Lumber Company and a copy will be provided to each owner of any residence surveyed prior to initiating further quarry operations. For each well within 2,500 feet of the blasting area where permission can be obtained, the operator will measure the ground water level in such well prior to initiating further quarry operations.

3. All quarry operations will comply with all local, state, and federal laws and regulations.
4. Before leaving the quarry, trucks will be loaded and cleaned to minimize discharge of rock, dust, or other materials and will drive through a wash system before entering the public road. The wash station will be operating within six months after approval of this SUP. The quarry will pave the road from the wash area to the entrance on Lumber Lane. The quarry will establish rules of the road contained in a separate document which will be given to each truck driver requiring compliance with these rules. These rules of the road may be modified by mutual agreement between the quarry and a designated representative of the neighborhood group and in the event the parties are unable to agree upon the modifications, the modification will be submitted to the Planning Commission for resolution.
5. The quarry operator shall provide at its own expense for the seismic and ground monitoring of each blast at one designated location at which permission for the monitoring can be obtained from the owner and at such other places as the operator may select. The results of all monitoring will be filed with the Zoning Administrator or the Zoning Administrator's designee on a quarterly basis.
6. Operator will water as necessary all haul roads and crushers when practical to control dust.
7. Evidence of compliance with these conditions will be filed quarterly with the Zoning Administrator.
8. Complaints will be addressed to the Zoning Administrator who will immediately contact the operator of each complaint.
9. Upon receipt of a founded complaint involving a truck driver, the quarry will issue a warning to the driver and upon a second warning the quarry may refuse to load for that driver or take other appropriate actions.
10. All new quarry lights and existing lumberyard lights will be down lit or shaded or refocused if possible to avoid infiltration to adjoining properties.
11. The boundaries of the 1.5 acre site will be marked with permanent markers so that the perimeter may be readily established for verification of the boundary.
12. This permit shall be for a period of five (5) years beginning on December 1, 2009 and ending on November 30, 2014.

#### IN RE: CLEOS

A public hearing was held to receive comments regarding an amendment to the CLEO's Ordinance. This amendment takes away potential cost for local government. No comments were received. Joe Vaughan moved to close the public hearing, duly seconded by Doug Carrico. Motion carried 5-0.

Doug Carrico moved to enter into the CLEO's Ordinance Agreement, duly seconded by Larry Bartlett. Motion carried 5-0 by roll call vote – Larry Bartlett – aye; Joe Vaughan – aye; Mike Maynard – aye; Brenda Sutherland – aye; Doug Carrico – aye.

#### IN RE: PIZZA PLUS PROCLAMATION

Larry Bartlett moved to approve a proclamation in support of Pizza Plus, duly seconded by Joe Vaughan. Motion carried 5-0.

#### IN RE: UNANTICIPATED REVENUE

Brenda Sutherland moved to approve the reallocation of unanticipated revenue, duly seconded by Joe Vaughan. Motion carried 5-0.

#### IN RE: GRAYSON COUNTY COMPREHENSIVE PLAN

Brenda Sutherland moved to advertise a public hearing for November 12, 2009 to readopt current Comprehensive Plan, duly seconded by Larry Bartlett. Motion carried 5-0.

#### IN RE: COUNTY ADMINISTRATOR REPORT

Jonathan Sweet addressed the Board giving an update on the Day Reporting Center. The County has advertised for the position to head the Center. Support has been garnered from the judge. Grayson County is continuing work with Giles to move forward.

The County has received multiple calls regarding the Solid Waste Ordinance. Forms have been developed for an appeals process. The County has developed seasonal rates, and Tax Relief for the Elderly information has been sent out by the Commissioner. Letters have been developed to let citizens know if their appeal has been denied. Appeal forms are available for pick up by Supervisors. Jonathan Sweet reviewed the appeals process. Mike Maynard stated that of the 8,000 tax maps that were billed, only 200 may qualify for relief from the fee.

#### IN RE: PUBLIC COMMENT

Virginia Jones- trash collection charges, what happens to the fee on your light bill? Jonathan Sweet responded that the \$3.00 on light bill, 75 cents on phone bill doesn't offset the cost of the service.

Rebecca Eller- Agro-Tech Center centrally located between west Independence and Volney. Kevin Spurlin is doing a great job. Who represents each district? The 100 acres, who owns the property at 1.5 million dollars? Land submitted for purchase should be brought up before the board. Don't waste the money. She looks forward to Agro-Tech Center. Bridle Creek School would be a great place for it.

Elizabeth McGee - Library roof leaking. It is causing damage and is dangerous to employees. Will the County please fix the roof?

Mike Delp – Is not willing to pay for mother's house trash because he intends to sell the house.

Brian Grimm-Revenue from trash fee, what will it be used for? Will it go to general fund? Mike Maynard responded that the County will collect enough money this year to offset the cost of the collection.

#### IN RE: EXECUTIVE SESSION

Thomas Maynard moved to approve an executive session in accordance with Subsection A (1-27) of Section 2.2-3711 Code of Virginia, 1950, as amended, to discuss contractual matters, personnel matters, and undisclosed business prospect, duly seconded by Joe Vaughan, motion carried 5-0.

Whereas the Grayson County Board of Supervisors has convened an executive meeting on this 9<sup>th</sup> day of July, 2009, pursuant to an affirmative recorded vote and in accordance with provision of the Virginia Freedom of Information act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

Now, Therefore Be It Resolved, that the Board of Supervisors hereby certifies that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (II) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors with recorded confirmation from members as follows: Larry Bartlett – I so certify; Joe Vaughan – I so certify; Doug Carrico – I so certify; Brenda Sutherland – I so certify; Thomas Maynard – I so certify.

#### IN RE: LEGAL

Larry Bartlett moved to accept Sands Anderson as the new County Attorney, duly seconded by Brenda Sutherland. Motion carried 5-0.

IN RE: ADJOURN

Doug Carrico moved to adjourn, duly seconded by Larry Bartlett. Motion carried 5-0.